



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL S. McCANTS,

Plaintiff,

- against -

TEAM ELECTRIC, INC.

Defendant.  
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19-CV-9565 (AJN) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

Defendant previously moved to compel arbitration. The Court granted that motion and stayed this case pending arbitration. Several months have passed, and Plaintiff has not initiated arbitration. Accordingly, as discussed at the telephone conference held on February 7, 2022, Plaintiff shall commence arbitration by **March 9, 2022**. In the event Plaintiff fails to do so, the Court may dismiss this case for failure to prosecute and comply with the Court's orders. By **March 11, 2022**, Plaintiff shall file a letter in this case stating whether Plaintiff has initiated arbitration and, if so, shall include a copy of the arbitration demand as filed with the entity administering the arbitration.

Separately, based on correspondence from the Plaintiff directly to the Court (see Dkt. 38), the Court has concerns about whether Plaintiff's attorney is sufficiently keeping his client informed and prosecuting the case on his behalf. By **March 11, 2022**, Plaintiff's attorney shall file a letter in this case explaining the extent to which he has communicated with his client about the case since February 7, 2022; the letter shall not disclose the substance of any communications between attorney and client

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: February 7, 2022  
New York, New York

Copies transmitted to all counsel of record.